

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

AMANDA NORTHROP,)
vs. Plaintiff,) No.: 3:16-CV- 1185
ABOVE AND BEYOND)
KITCHENS AND BATH, LLC,)
Defendant.) JURY TRIAL DEMANDED

SERVE:

ABOVE AND BEYOND
KITCHENS AND BATH, LLC
C/o Registered Agent
John Steven Roberts
147 B South Gallatin Street
Liberty, Missouri 64068

COMPLAINT

(Negligence v. Above and Beyond Kitchen and Baths)

COMES NOW Plaintiff, Amanda Northrop, and for her cause of action against the Defendant
Above and Beyond Kitchens and Bath, LLC, states as follows:

1. Plaintiff Amanda Northrop is a citizen of the State of Illinois.
2. Upon Plaintiff's information and belief, Defendant Above and Beyond Kitchens and Bath, LLC was a Missouri limited liability company which was registered to do business within the State of Missouri, but was doing business in St. Clair County, Illinois although it was not licensed or registered to do business in Illinois.
3. Pursuant to 28 U.S.C. Sec 1332, the matter in controversy herein exceeds the sum or value of Seventy-Five Thousand Dollars (\$75,000.00), exclusive of costs and interest.

4. The Court has diversity jurisdiction of this cause pursuant to 42 U.S.C. Sec. 1332.

5. Before February 17, 2015, the Defendant, by and through one or more of its agents, servants or employees installed and affixed cabinets in various areas of the office of Fresenius Medical Center (hereinafter called "Fresenius") in O'Fallon, St. Clair County, Illinois.

6. At the time Defendant was installing and affixing said cabinets, Defendant and its agents, servants, and employees owed a duty to use reasonable care so that said cabinets were installed and affixed in such a way that they would not fall off the walls and injure Plaintiff and others reasonably foreseen to be working in Fresenius' office space.

7. On February 17, 2015, Plaintiff Amanda Northrop was working at Fresenius' aforesaid office when one of the cabinets installed and/or affixed by Defendant came loose from the wall and fell onto Plaintiff.

8. The Defendant, by and through one or more of its agents, servants or employees, breached the aforesaid duty of care to Plaintiff in one or more of the following ways:

- A. Negligently and carelessly failed to properly affix the cabinets into the wall; and/or
- B. Negligently and carelessly failed to use appropriate anchors to adequately and safely affix the cabinets into the walls; and/or
- C. Negligently and carelessly failed to adequately or properly instruct and supervise its workers to ensure that the cabinets were properly and safely installed and affixed to the walls; and/or
- D. Negligently and carelessly failed to adequately and properly inspect the walls before affixing or installing the cabinets; and/or
- E. Negligently and carelessly failed to conduct adequate and appropriate testing or inspections of the cabinets after they were affixed or installed.

9. As a direct and proximate result of one or more of the foregoing negligent acts or omissions, one of the cabinets affixed or installed by Defendant Above and Beyond Kitchens and Bath, LLC, by and through its agents, servants or employees acting within the course of their

employment, fell onto Plaintiff which caused, and will in the future cause Plaintiff: pain, suffering, mental anguish, and discomfort as a result of multiple injuries to her body; loss of her normal life; to obtain medical and other health care to treat her injuries thereby becoming indebted for same; to lose wages, earnings, and benefits she would have otherwise earned; and, has in the past, and will in the future cause additional damages all in a sum in excess of Seventy Five Thousand Dollars (\$75,000.00).

WHEREFORE, Plaintiff Amanda Northrop respectfully requests that judgment be entered for her against Above and Beyond Kitchens and Bath, LLC in an amount in excess of Seventy Five Thousand Dollars (\$75,000.00), plus her costs herein expended and for such other or further relief as this Court considers just and proper under the circumstances.

PLAINTIFF DEMANDS TRIAL BY JURY

BROWN & CROUPPEN, P.C.

By:



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